

AO 245B (CASD) (Rev. 12/11) Judgment in a Criminal Case  
Sheet 1

FILED

UNITED STATES DISTRICT COURT 14 MAR 26 PM 1:04  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

REYNALDO GARCIA-GAMEZ

## JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 14CR00431-LAB

ROBERT H. REXRODE

Defendant's Attorney

REGISTRATION NO. 46346298

☐

THE DEFENDANT:

☒ pleaded guilty to count(s) ONE OF THE INFORMATION☐

was found guilty on count(s)

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

Title & Section	Nature of Offense	Count Number(s)
31 USC 5316(a)(1) and 5324(c) and (d)	FAILURE TO REPORT EXPORTING MONETARY INSTRUMENTS	1.

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)

☐ Count(s) is ☐ are ☐ dismissed on the motion of the United States.

☒ Assessment: \$100-WAIVED

☒ No fine

☒ Forfeiture pursuant to order filed 3/24/2014, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

MARCH 24, 2014

Date of Imposition of Sentence

*Larry A. Burns*  
HON. LARRY ALAN BURNS  
UNITED STATES DISTRICT JUDGE

14CR00431-LAB

DEFENDANT: REYNALDO GARCIA-GAMEZ  
CASE NUMBER: 14CR00431-LAB

### PROBATION

The defendant is hereby sentenced to probation for a term of :  
5 YEARS

The defendant shall not commit another federal, state, or local crime.

*For offenses committed on or after September 13, 1994:*

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the special conditions imposed.

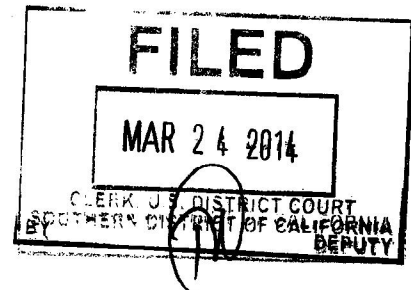
### STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: REYNALDO GARCIA-GAMEZ  
CASE NUMBER: 14CR00431-LAB**SPECIAL CONDITIONS OF SUPERVISION**

- ☐ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☒ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer within 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☒ Not reenter the United States illegally.
- ☐ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☐ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within                      days.
- ☐ Complete                      hours of community service in a program approved by the probation officer within
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of
- ☐ Participate in a program of drug or alcohol abuse treatment, including urinalysis or sweat patch testing and counseling, as directed by the probation officer. Allow for reciprocal release of information between the probation officer and the treatment provider. May be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.





UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
REYNALDO GARCIA-GAMEZ,  
  
Defendant.

Case No. 14cr0431-LAB  
  
PRELIMINARY ORDER OF  
CRIMINAL FORFEITURE

WHEREAS, in the Information in the above-captioned case, the United States sought forfeiture of all right, title and interest in specific properties of the above-named Defendant, REYNALDO GARCIA-GAMEZ ("Defendant"), pursuant to 31 U.S.C. § 5317(c) as property transported or was about to transport at one time from a place from within the Republic of Mexico to a place inside the United States, without filing the report required in violation of 31 U.S.C. §§5316(a)(1) and 5324(c)(d) as charged in the Information; and

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1 WHEREAS, on or about February 25, 2014, the Defendant  
2 pled guilty before Magistrate Judge David H. Bartick to the  
3 Information; and

4 WHEREAS, on March 4, 2014, this Court accepted  
5 Defendant's guilty plea; and

6 WHEREAS, by virtue of the facts set forth in the plea  
7 agreement, the United States has established the requisite  
8 nexus between the forfeited property and the offense; and

9 WHEREAS, by virtue of said guilty plea, the  
10 United States is now entitled to possession of said  
11 properties, pursuant to 31 U.S.C. § 5317(c) and  
12 Rule 32.2(b) of the Federal Rules of Criminal  
13 Procedure; and

14 WHEREAS, pursuant to Rule 32.2(b), the United States  
15 having requested the authority to take custody of the  
16 following properties which were found forfeitable by the  
17 Court, namely:

18 (1) **Approximately \$20,000.00 in U.S. Currency;**  
19 **and**

20 WHEREAS, the United States, having submitted the Order  
21 herein to the Defendant through his attorney of record, to  
22 review, and no objections having been received;

23 Accordingly, IT IS HEREBY ORDERED, ADJUDGED  
24 AND DECREED:

25 1. Based upon the guilty plea of the Defendant, the  
26 United States is hereby authorized to take custody and  
27 control of the following asset, and all right, title and  
28 interest of Defendant in the following property is hereby

1 forfeited to the United States for disposition in  
2 accordance with the law, subject to the provisions of  
3 21 U.S.C. § 853(n):

4           **(1) Approximately \$20,000.00 in U.S. Currency.**

5           2. The aforementioned forfeited assets are to be held  
6 by Customs and Border Protection ("CBP") in its secure  
7 custody and control.

8           3. Pursuant to Rule 32.2(b) and (c), the United States  
9 is hereby authorized to begin proceedings consistent with  
10 any statutory requirements pertaining to ancillary hearings  
11 and rights of third parties.

12           4. Pursuant to the Attorney General's authority under  
13 21 U.S.C. § 853(n)(1), Rule 32.2(b)(3), Fed. R. Crim. P.,  
14 and Rule G(4) of the Supplemental Rules for Admiralty or  
15 Maritime Claims and Asset Forfeiture Actions, the  
16 United States forthwith shall publish for thirty (30)  
17 consecutive days on the Government's forfeiture website,  
18 [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, notice of CBP's  
19 intent to dispose of the property in such manner as the  
20 Attorney General may direct, and notice that any person,  
21 other than the Defendant, having or claiming a legal  
22 interest in the above-listed forfeited property must file a  
23 petition with the Court within thirty (30) days of the  
24 final publication of notice or of receipt of actual notice,  
25 whichever is earlier.

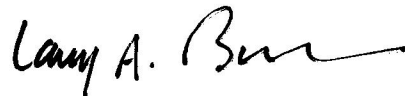
26           5. This notice shall state that the petition shall be  
27 for a hearing to adjudicate the validity of the  
28 petitioner's alleged interest in the property, shall be

1 signed by the petitioner under penalty of perjury, and  
2 shall set forth the nature and extent of the petitioner's  
3 right, title or interest in the forfeited property and any  
4 additional facts supporting the petitioner's claim and the  
5 relief sought.

6 6. The United States may also, to the extent  
7 practicable, provide direct written notice to any person  
8 known to have alleged an interest in the property that is  
9 the subject of the Preliminary Order of  
10 Criminal Forfeiture.

11 7. Upon adjudication of all third-party interests,  
12 this Court will enter an Amended Order of Forfeiture  
13 pursuant to 21 U.S.C. § 853(n), in which all interests will  
14 be addressed.

15  
16 DATED: 3.24.14

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20 HONORABLE LARRY ALAN BURNS  
21 United States District Judge  
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